

Relating to City of Keene Land Development Code

That the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended as follows.

1. Add Chapter 100, "Land Development Code" to the Code of Ordinances, which shall read as presented in the attached document entitled, City of Keene, New Hampshire Land Development Code dated May 2021 . This draft document contains amended versions of the City's Zoning Regulations, Subdivision Regulations, Site Plan Regulations, Historic District Regulations, Floodplain Regulations, Public Improvement Standards (referred to as Public Infrastructure Standards), Earth Excavation Regulations, and all related application and review procedures.
2. Remove the following sections of the Code of Ordinances in their entirety.
 - a. Chapter 18. Article V. "Historic Districts"
 - b. Chapter 34. "Environment"
 - c. Chapter 54. "Natural Resources"
 - d. Chapter 70. "Public Improvement Standards"
 - e. Chapter 102. "Zoning"
 - f. Appendix B. Fee Schedule. Chapter 54. "Natural Resources". Article II. "Floodplain"
 - g. Appendix B. Fee Schedule. Chapter 54. "Natural Resources". Article III. "Land Filling and Excavation"
 - h. Appendix B. Fee Schedule. Chapter 70. "Public Improvement Standards"
 - i. Appendix B. Fee Schedule. Chapter 74. "Sign Code"
 - j. Appendix B. Fee Schedule. Chapter 102. "Zoning"
3. Delete the stricken text and add the bolded underlined text in the following sections of the Code of Ordinances.
 - a. Chapter 18. "Building Regulations." Article I. "In General." Sec. 18-2. "Definitions."

*"Lodginghouse shall mean any dwelling for ~~more than four~~ **between 5 and 16** unrelated **natural** persons, which ~~lets~~ **provides separate rooms for** sleeping accommodations **for a fee** for a transient or permanent basis, without personal care services, ~~with or without meals, but~~ **and** without separate cooking facilities for individual occupants. **A lodginghouse may include separate living quarters for an on-site property manager.** For purposes of this **article**, the term lodginghouse shall not include a hotel or motel."*
 - b. Chapter 18. Article III. "Property and Housing Standards." Section 18-259. "Sanitary Facilities."

*"(4) Sanitary facilities, shared facilities—~~Lodging House~~ **Congregate Living Uses**. At least one water closet, lavatory, and bathtub or shower shall be provided for all ~~lodginghouses~~ **congregate living uses, as defined in Chapter 100, Article 8 in the City Code of Ordinances**, for up to four rooms used as bedrooms. All such facilities shall be located within the building housing the sleeping rooms. Said facilities shall be accessible from a common hall, passageway, or a room used in common (lounge) and*

shall be not more than one story removed from any persons sharing such facilities. Such facilities shall not be located in a basement.”

- c. Chapter 18. Article III. “Property and Housing Standards.” Section 18-307. “Determination of the housing standards enforcement officer; issuance of orders, posting of placards.”

“(c) Any dwelling, dwelling unit or ~~lodginghouse~~ **congregate living use as defined in Chapter 100, Article 8 of the City Code of Ordinances**, which has been determined unfit for human habitation and which has been placarded as such by the housing standards enforcement officer shall be vacated within a reasonable time as required by the housing officer. No owner shall rent to any person for human habitation, and no person shall occupy, any dwelling or dwelling unit which has been determined unfit for human habitation and which has been placarded by the housing officer after the date which the officer has required the dwelling or dwelling unit to be vacated.”

- 4. Add the following language to Chapter 2, Article 5 “Boards and Commissions”, Division 15

“Planning Board,” relating to the powers of the Planning Board with respect to establishing a Minor Project Review Committee.

“(37) [*The Planning Board shall*] have the authority to delegate its site review powers and duties in regard to minor site plans to a committee of technically qualified administrators chosen by the Planning Board from the departments of public works, community development, or other similar departments in the City, in accordance with NH RSA 674:43(III). The process and procedures for this committee, which shall be known as the Minor Project Review Committee, are set forth herein in Article 25 of Chapter 100 of the City Code of Ordinances.”

- 5. Add to Appendix B of the City Code of Ordinances, “Chapter 100. Land Development Code (LDC) Fee Schedule,” which shall read as follows.

“Chapter 100. Land Development Code (LDC) Fee Schedule

§14.3 Sustainable Energy Efficient Development Overlay District Incentive	
Application Fee.....	\$100.00
§22.4 Service Connection Permit	
Engineering Inspection Fees.....	\$55.00 per hour
Residential, Institutional or Commercial Building Service Connection Permit.....	\$15.00
Industrial Building Service Connection Permit.....	\$30.00
§25.3 Zoning Text or Zoning Map Amendment	
Application Fee.....	\$100.00
Published Public Notice Fee.....	\$90.00
§25.4 Land Development Code Amendment	
Application Fee.....	\$100.00

Published Public Notice Fee.....	\$90.00
§25.5 Zoning Variance	
Application Fee.....	\$100.00
§25.6 Zoning Special Exception	
Application Fee.....	\$100.00
§25.7 Expansion or Enlargement of a Nonconforming Use	
Application Fee.....	\$100.00
§25.8 Equitable Waiver of Zoning Dimensional Requirements	
Application Fee.....	\$100.00
§25.9 Zoning Administrator Written Interpretation	
Application Fee.....	\$125.00
§25.10 Subdivision Review	
Subdivision Application Fee.....	\$200.00 + \$100.00 per lot
Conservation Residential Development Subdivision Application Fee....	\$200.00 + \$100.00 per lot
Boundary Line Adjustment Application Fee.....	\$100.00 + \$20.00 per lot
Voluntary Merger Application Fee.....	\$100.00 + \$20.00 per lot
Request to extend expiration of conditionally approved subdivision.....	\$25.00 for 1st request, \$50 for each request thereafter
§25.11 Planning Board Advice and Comment	
Application Fee.....	\$25.00
§25.12 Site Plan Review	
Major Site Plan Application Fee.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Minor Site Plan Application Fee.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Request to modify an approved site plan.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Request to extend expiration of conditionally approved site plan.....	\$25.00 for 1st request, \$50 for each request thereafter
§25.13 Administrative Planning Review	
Review Fee.....	\$125.00
§25.14 Conditional Use Permit (CUP)	
Telecommunications CUP Application Fee.....	\$300.00
Hillside Protection CUP Application Fee.....	\$100.00
Surface Water Protection CUP Application Fee.....	\$100.00
Congregate Living and Social Services CUP Application Fee.....	\$100.00
Solar Energy System CUP Application Fee.....	\$100.00

§25.15 Historic District Certificate of Appropriateness (COA)
 Major Project Application Fee.....\$50.00
 Minor Project Application Fee.....\$25.00
 Request to modify an approved Major Project COA.....\$50.00

§25.16 Street Access Permit
 Application Fee.....\$50.00

§25.17 Floodplain Development Permit
 Floodplain Development Permit Application Fee.....\$50.00 + \$100 per acre (or portion thereof) of special flood hazard area proposed to be altered

§25.18 Sign Permit
 Applications with a total project cost of \$5,000 or greater).....\$100.00 + \$10.00 per \$1,000 of total project value
 Applications with a total project value less than \$5,000.....\$100.00

§25.19 Earth Excavation Permit
 Application Fee.....\$50.00

Mailed Public Notice:
 Postage for Certified mail.....Current USPS certified mail rate
 Postage for First Class mail.....Current USPS First Class mail rate

Published Notice (*unless otherwise specified in this Land Development Code Fee Schedule, the published public notice fee shall be as specified below*):
 Printing fee for legal advertisement in newspaper.....\$62

Recording Fee:
 Recording Fee.....Current Cheshire County Registry of Deeds Fee, Including LCHIP fee”

Effective Date of Ordinance: September 1, 2021

 George Hansel, Mayor